

Wetlands Bureau Decision Report

Review by
WAZ 5/29/12

Decisions Taken
05/21/2012 to 05/27/2012

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2011-01210 NASWA MOTOR INN INC
LACONIA Lake Winnepesaukee

Requested Action:

Retain and replace 130 linear feet of retaining wall and replace 447 linear feet of existing retaining wall on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com submitted comments about erosion controls

APPROVE PERMIT:

Retain and replace 130 linear feet of retaining wall and replace 447 linear feet of existing retaining wall on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Kevin Hayes dated December 27, 2011, as received by the NH Department of Environmental Services (DES) on January 11, 2012.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Repair shall maintain existing size, location and configuration.
4. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.03(h), projects that disturb more than 200 linear feet of shoreline along a lake.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2012-00820 UNITIL
STRATHAM

Requested Action:

Temporarily impact a total of 144,549 square feet of previously disturbed and maintained/mowed wetlands within fourteen (14) impact areas for the replacement of the existing natural gas pipeline within an existing utility right-of-way.

Conservation Commission/Staff Comments:
See findings.

APPROVE PERMIT:

Temporarily impact a total of 144,549 square feet of previously disturbed and maintained/mowed wetlands within fourteen (14) impact areas for the replacement of the existing natural gas pipeline within an existing utility right-of-way.

With Conditions:

1. All work shall be in accordance with plans by Amec Environment & Infrastructure, as received by the NH Department of Environmental Services (DES) on April 6, 2012 and May 4, 2012.
2. The applicant shall notify in writing DES Wetlands Bureau Southeast region staff (Portsmouth Office) and the Stratham Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
3. All wetlands approved to be impacted by construction of the pipeline shall be re-flagged during pre-construction preparation in accordance with the United States Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
6. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
7. Construction workspace shall be limited to the construction right-of-way as depicted on the approved plans, unless further authorization is received pursuant to condition #8 below.
8. All additional temporary workspace outside of the approved construction right-of-way shall be located at least 20 ft. from any wetland or watercourse or the further approval of the DES Wetlands Bureau shall be obtained prior to use of the workspace.
9. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire," 2004. Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
10. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
11. Timber or natural fiber mats, corduroy, or temporary rock fill shall be used to stabilize the right-of-way in wetlands. These materials shall be entirely removed from wetlands during restoration.
12. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
13. Blast rock from trench excavation shall be disposed of in the trench or shall be removed from the wetland. Blast rock shall not otherwise be buried or distributed on the surface of wetlands.
14. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. Dewatering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner. Additionally, all turbid trench de-watering discharged within one-hundred (100) feet of any waterbody shall be discharged through a filter bag.
15. All work within flowing streams shall be conducted in the dry using a dam and flume or dam and pump method.
16. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
17. All in-stream work shall be conducted in a manner so as to minimize the duration of construction in the watercourse. The DES Wetlands Bureau shall be notified in writing where in-stream construction exceeds 48 continuous hours.
18. Stream banks shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.
19. Construction through the vernal pool shall not occur between March 1 and June 31 to minimize impacts to the habitat and species during spawning season.
20. Prior to commencing work within the vernal pool as identified on 'Erosion and Sediment Control Plan Stations 156+50 to 166+50' dated 3 April 2012 and revised through 05/02/12 Drawing Number C-106 (Sheet Number 9 of 15), the contractor shall

submit a temporary dam/dewatering plan for trenching under the vernal pool to the DES for approval.

21. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.

22. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

23. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.

24. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

25. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

26. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

27. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent

to nontidal surface waters in excess of 20,000 square feet in the aggregate.

2. The existing gas pipe coating has become disbonded, resulting in inadequate cathodic protection of the pipe from corrosion. The replacement is mandated by federal pipeline safety regulation; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. All impacts occur within an existing utility right-of-way containing previously disturbed, mowed, and maintained wetlands. All impacts are temporary and will be restored and monitored; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resources, as identified under RSA 482-A:1. The project will serve a public benefit through the necessary maintenance of a critical public utility.

7. Eight (8) memos from the NH Natural Heritage Bureau (NHB) determined either, "although there was a NHB record present in the vicinity, we [NHB] do not expect that it will be impacted by the proposed project" or "we currently have no recorded occurrences for sensitive species near this project area."

8. No comments were received from federal agencies and the Stratham Conservation Commission on the project.

9. On April 12, 2012, Thomas S. Burack, DES Commissioner, authorized that this application receive an expedited review in accordance with SOP 201.

MINOR IMPACT PROJECT

2011-02880 KERRIGAN FAMILY REALTY TRUST
OSSIPEE Ossipee Lake

Requested Action:

Impact 1430 sq ft of bank and bed to repair existing 101 linear feet of rip rap, replace a 3 ft wide access stair with 4 ft wide access steps, and relocate the deck to the original position, on Ossipee Lake, Ossipee.

Conservation Commission/Staff Comments:

No comments from Con Com by December 14, 2011

APPROVE PERMIT:

Impact 1430 sq ft of bank and bed to repair existing 101 linear feet of rip rap, replace a 3 ft wide access stair with 4 ft wide access steps, and relocate the deck to the original position, on Ossipee Lake, Ossipee.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey and Engineering revision dated April 23, 2012, as received by the NH Department of Environmental Services (DES) on April 27, 2012.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work shall be done during drawdown.
5. Work shall be done during low flow.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Work shall be conducted in a manner that avoids discharges of sediments to fish spawning areas.
8. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet along the shoreline of a lake.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2012-00714 LONDONDERRY, TOWN OF
LONDONDERRY**

Requested Action:

Dredge and fill a total of 4,985 sq. ft. of permanent and temporary impacts at six (6) locations in palustrine scrub-shrub & emergent wetlands for work associated with the replacement of deteriorated CMP culverts with box culverts and roadway improvements to reduce the flooding potential at Auburn Road.

Conservation Commission/Staff Comments:

4/16/12 Con. Com. letter received approving application.

APPROVE PERMIT:

Dredge and fill a total of 4,985 sq. ft. of permanent and temporary impacts at six (6) locations in palustrine scrub-shrub & emergent wetlands for work associated with the replacement of deteriorated CMP culverts with box culverts and roadway improvements to reduce the flooding potential at Auburn Road.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated 03/22/2012, as received by the NH Department of Environmental Services (DES) on March 28, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Londonderry Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
12. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c)(h)&(l).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2012-00928 BERLIN STATION LLC
BERLIN Unnamed Wetland

Requested Action:

Dredge and fill 9,250 square feet of wetlands for the installation of a pole structure and duct line. Work in jurisdiction includes 2,500 square feet for the installation of a new pole structure with concrete pad; and 6,750 square feet of temporary impacts for the installation of a duct line from the power plant to the proposed pole. Temporary impacts will be restored immediately following installation of the duct line.

APPROVE PERMIT:

Dredge and fill 9,250 square feet of wetlands for the installation of a pole structure and duct line. Work in jurisdiction includes 2,500 square feet for the installation of a new pole structure with concrete pad; and 6,750 square feet of temporary impacts for the installation of a duct line from the power plant to the proposed pole. Temporary impacts will be restored immediately following installation of the duct line.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers entitled Wetland Impact Plan (Sheet W1) dated April 2012 as received by the Department on April 17, 2012.
2. Areas of temporary impact shall be restored to pre-construction conditions.
3. Mulch within the restoration area shall be straw.
4. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications.
5. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per NH Administrative Rule Env-Wt 303.04 (h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.

5. The NH Natural Heritage Database check identified the following species in the vicinity of the project: Bald Eagle and Common Nighthawk. In an e-mail dated March 21, 2012 NH Fish and Game commented that they do not expect impacts to bald eagle as wintering habitat (mature trees) along the River does not appear to be impacted. NH Fish and Game further commented that they do not expect impacts to common nighthawk as they prefer to nest in gravel lots and openings such as gravel/sand pits or on stone covered flat roofs.

2012-01145 LOON MTN RECREATION CORP
LINCOLN Pemigewasset River

Requested Action:

Dredge and fill 1,300 square feet to stabilize 97 linear feet of the bank of the East Branch of the Pemigewasset River to protect a town road and infrastructure at Loon Mountain Resort. Approximately 6,000 square feet of the banks will be planted with native shrubs.

APPROVE PERMIT:

Dredge and fill 1,300 square feet to stabilize 97 linear feet of the bank of the East Branch of the Pemigewasset River to protect a town road and infrastructure at Loon Mountain Resort. Approximately 6,000 square feet of the banks will be planted with native shrubs.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering Inc. entitled Wall Completion and Slope Stabilization Project (Sheet 1 of 1) as received by DES on May 07, 2012 and Revised Planting Plan as received by DES on May 15, 2012.
2. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
3. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the plantings and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.
4. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
5. Appropriate siltation, erosion controls, turbidity, and sedimentation controls shall be utilized.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
16. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minor project per Administrative Rule Env-Wt 303.03 (I) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
4. The proposed bank stabilization is to support Black Mountain Road and protect various private utilities. The road is the only access to portions of Loon Mountain Resort and numerous residences.
5. The stream bank was damaged by high flows caused by Tropical Storm Irene (August 2011).
6. An Emergency authorization (2011-02424) was issued by DES Wetlands Bureau Staff for the in-kind replacement of an existing gabion baskets wall. The emergency repairs were needed address recent storm damage incurred at this site due to Tropical Storm Irene. Review of the materials submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization. The proposed project will complete the stabilization work and will tie into the upstream and downstream ends of the gabion baskets.
7. Native shrubs will be planted along the stream bank (approximately 6,000 square feet).
8. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

MINIMUM IMPACT PROJECT

2007-01064 TIMBER BAY ASSOCIATION, LARRY ROTH
GILFORD Lake Winnepesaukee

Requested Action:

Request permit time extension.

APPROVE TIME EXTENSION:

Replace cribs supporting two existing 10 ft x 30 ft piers connected by two 21 ft walkways accessed by an 8 ft x 35 ft walkway in a "Y" configuration with pilings on 356 ft of frontage in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on May 21, 2007.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. No change is authorized to the existing 14 ft 10 in x 34 ft boathouse, 10 ft x 88 ft crib pier, and 9 ft 6 in x 40 ft crib pier.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. This permit does not allow for maintenance dredging.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
8. Repairs to the "Y" shaped structure may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to

performing any repair.

9. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.

10. Future repairs shall maintain permitted size, location and configuration.

11. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.

2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

FORESTRY NOTIFICATION

2012-01197 LECLAIR, MATTHEW
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Mason Tax Map G, Lot# 55, 56, 57

2012-01198 MCPHERSON, LINDA
WEBSTER Unnamed Stream

COMPLETE NOTIFICATION:
Webster Tax Map 3, Lot# 7 & 9

2012-01207 HENDERSON, DALLAS
WEARE Unnamed Stream

COMPLETE NOTIFICATION:
Weare Tax Map 411, Lot# 351

2012-01259 HALL, GARDNER
GROTON Unnamed Stream

COMPLETE NOTIFICATION:
Groton Tax Map 8, Lot# 1

2012-01260 HALL, GARDNER
PLYMOUTH Unnamed Stream

Conservation Commission/Staff Comments:
See file 2012-1259 for fee amount

COMPLETE NOTIFICATION:
Plymouth Tax Map 224, Lot# 5

EXPEDITED MINIMUM

2012-00431 KATZ REVOC TRUST, ELIZABETH & RICHARD
SUNAPEE Lake Sunapee

Requested Action:

Construct a 6 ft x 30 ft seasonal docking structure connected by a 6ft x 6ft ramp on an average of 80 ft of shoreline frontage located on Lake Sunapee, in Sunapee.

APPROVE PERMIT:

Construct a 6 ft x 30 ft seasonal docking structure connected by a 6ft x 6ft ramp on an average of 80 ft of shoreline frontage located on Lake Sunapee, in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Richard L. Green dated May 11, 2012, and received by the NH Department of Environmental Services (DES) on May 22, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water unless prior approval from abutter.
4. The seasonal pier shall be removed from the river for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

2012-00583 BRUNETTA, KARA
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair in kind an existing permanent 6 ft x 37 ft 4 in dock supported by three 6 ft x 6 ft cribs and install a 12 ft 6 in x 4 ft stairs over the bank on an 103 average feet of Shoreline located on Lake Winnepesaukee, the Town of Wolfeboro.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Repair in kind an existing permanent 6 ft x 37 ft 4 in dock supported by three 6 in x 6 in cribs and install a 12 ft 6 in x 4 ft stairs over the bank on an 103 average feet of Shoreline located on Lake Winnepesaukee, the Town of Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated January 23, 2012, as received by the NH Department of Environmental Services (DES) on March 14, 2012. 2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2012-00753 BLANCHETTE, KEVIN
WINDHAM Cobbetts Pond

Requested Action:

Replenish 300 sq ft of an existing sloped beach with less than 10 cubic yards of sand on Cobbetts Pond, Windham.

Conservation Commission/Staff Comments:

Con Com signed application

APPROVE PERMIT:

Replenish 300 sq ft of an existing sloped beach with less than 10 cubic yards of sand on Cobbetts Pond, Windham.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering revision dated April 19, 2012, as received by the NH

Department of Environmental Services (DES) on April 27, 2012.

2. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
3. This permit shall be used only once, and does not allow for annual beach replenishment.
4. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa), replenishment of a beach.

2012-01062

JOHNSTON, COREY

BRISTOL

Requested Action:

Dredge and fill 800 sq. ft. of wetlands and associated intermittent stream for access to a single family building lot. Work in wetlands consists of installation of a 48 in. x 38 ft. HDPEP, associated filling, grading and culvert headwalls.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the expedited application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 800 sq. ft. of wetlands and associated intermittent stream for access to a single family building lot. Work in wetlands consists of installation of a 48 in. x 38 ft. HDPEP, associated filling, grading and culvert headwalls.

With Conditions:

1. All work shall be in accordance with plans by Northpoint Engineering, LLC dated April 2012, as received by the NH Department of Environmental Services (DES) on April 27, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The culvert inverts shall match adjacent stream bed elevations and the final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap unless approved by DES.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired

immediately.

13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

14. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot, for noncommercial recreational uses including conservation projects, or for normal agricultural operations, provided:

(1) The total jurisdictional impact shall not exceed 3,000 square feet;

(2) The roadway width at the crossing shall not exceed 20 feet;

(3) The fill width, measured at toe of roadway side slopes, shall be minimized, for example, by making the sideslopes steeper and constructing walls, and not exceed 50 feet;

(4) Fill for any single wetland crossing shall not exceed 60 feet in length, measured along the centerline of the proposed access way; and

(5) Such projects shall be limited to crossings that:

a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone;

b. Are not located in or within 100 feet of prime wetlands, unless a waiver has been granted pursuant to RSA 482-A:11, IV(b);

c. Do not meet the criteria of Env-Wt 303.02(k);

d. If crossing streams, qualify as minimum impact under Env-Wt 903.01(e); and

e. If crossing a swamps or wet meadows, cross those that have no standing water for 10 months of the year;

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2012-01067 STRATEGIC CONTRACTING CO LLC
BOW Unnamed Wetland

Requested Action:

Proposal to dredge and fill 134 sq. ft. of forested wetlands and intermittent drainage (includes 74 sq. ft. of temporary impacts) for construction of a driveway and two utility crossings to a single family building lot. Work in wetlands includes installation of a 15 inch HDPE culvert, associated grading, filling, culvert headwalls and temporary dredging impacts for two underground utility lines.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the expedited application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 134 sq. ft. of forested wetlands and intermittent drainage (includes 74 sq. ft. of temporary impacts) for construction of a driveway and two utility crossings to a single family building lot. Work in wetlands includes installation of a 15 inch HDPE culvert, associated grading, filling, culvert headwalls and temporary dredging impacts for two underground utility lines.

With Conditions:

1. All work shall be in accordance with plans by BAG Land Consultants dated March 29, 2012 and March 15, 2012, as received by the NH Department of Environmental Services (DES) on April 30, 2012.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Proper headwalls shall be constructed within seven days of culvert installation.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot, for noncommercial recreational uses including conservation projects, or for normal agricultural operations, provided:
 - (1) The total jurisdictional impact shall not exceed 3,000 square feet;
 - (2) The roadway width at the crossing shall not exceed 20 feet;
 - (3) The fill width, measured at toe of roadway side slopes, shall be minimized, for example, by making the sideslopes steeper and constructing walls, and not exceed 50 feet;
 - (4) Fill for any single wetland crossing shall not exceed 60 feet in length, measured along the centerline of the proposed access way; and2009-108 Adopted effective 05-25-10 5
- (5) Such projects shall be limited to crossings that:
 - a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone;
 - b. Are not located in or within 100 feet of prime wetlands, unless a waiver has been granted pursuant to RSA 482-A:11, IV(b);
 - c. Do not meet the criteria of Env-Wt 303.02(k);
 - d. If crossing streams, qualify as minimum impact under Env-Wt 903.01(e); and
 - e. If crossing a swamps or wet meadows, cross those that have no standing water for 10 months of the year;and Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2012-01068 DONNA M BROWN REVOCABLE TRUST
RYE Sagamore Creek

Requested Action:

Impact a total of 2,893 square feet within the previously developed 100-foot tidal buffer zone (including 2,120 square feet of temporary impact and 743 square feet of permanent impact) for the replacement of a failed effluent disposal area for a single family residential dwelling on approximately 0.72 acres on Sagamore Creek.

Conservation Commission/Staff Comments:

See findings.

APPROVE PERMIT:

Impact a total of 2,893 square feet within the previously developed 100-foot tidal buffer zone (including 2,120 square feet of temporary impact and 743 square feet of permanent impact) for the replacement of a failed effluent disposal area for a single family residential dwelling on approximately 0.72 acres on Sagamore Creek.

With Conditions:

1. All work shall be in accordance with 'The Wetlands Bureau Application Plan' by Faretra Septic Design, LLC dated April 16, 2012, as received by the NH Department of Environmental Services (DES) on April 30, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. DES Southeast region staff (Portsmouth Office) shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
11. No fill shall be done for lot development.
12. No fill shall take place in Atlantic white cedar swamps.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Area shall be regraded to original contours following completion of work.
15. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The existing effluent disposal area has failed; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The replacement effluent disposal area will be installed in the same general area as the previous failed system; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A Shoreland Application is not required in accordance with RSA 483-B:5-bIV and Env-Wq 1406.04(d)(8) Replacement of a failed septic system, either in-kind as specified in Env-Wq 1003.10 or under a new approval, provided there is no increase in sewage loading from the structure(s) served by the system.
6. The Rye Conservation Commission signed the Wetlands Permit Application pursuant to RSA 482-A:11.
7. A memo dated 4/15/2012 from the NH Natural Heritage Bureau (NHB) states, "We [NHB] currently have no recorded occurrences for sensitive species near this project area."
8. The 'Request for Project Review by the New Hampshire Division of Historical Resources' found "No Historic Properties Affected".

2012-01223

WHEELER, DAVID/JOY

MILFORD

Requested Action:

Dredge and fill 2,926 sq. ft. in a palustrine forested & scrub-shrub wetland to construct a 108 ft. long x 27 ft. wide section of a haul road and install a 41 in. diameter culvert crossing, where an earlier woods road existed, to provide access to uplands for Christmas tree production and forestry activities.

Conservation Commission/Staff Comments:

The Milford Conservation Commission visited the site and then signed off on the Minimum Impact Expedited application on May 10, 2012.

Inspection Date: 05/02/2012 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill 2,926 sq. ft. in a palustrine forested & scrub-shrub wetland to construct a 108 ft. long x 27 ft. wide section of a haul road and install a 41 in. diameter culvert crossing, where an earlier woods road existed, to provide access to uplands for Christmas tree production and forestry activities.

With Conditions:

1. All work shall be in accordance with plans by Applicant dated 5-4-2012, as received by the NH Department of Environmental Services (DES) on May 14, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Culvert outlets shall be properly rip rapped.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2012-01304 SPAULDING, JAMES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2012-01306 KLINGER, RAYMOND
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

TRAILS NOTIFICATION

2012-01181 UPPER VALLEY LAND TRUST
LYME Unnamed Wetland

COMPLETE NOTIFICATION:
Lyme Tax Map 402, Lot# 55, 57, 59

LAKES-SEASONAL DOCK NOTIF

2012-00130 EGAN, KEVIN/SUSAN
MILTON Milton Pond & Depot Pond

Requested Action:

Install a seasonal dock

COMPLETE NOTIFICATION:

Install a seasonal dock

With Findings:

Install a seasonal dock

ROADWAY MAINTENANCE NOTIF

2012-01317 NH DEPT OF TRANSPORTATION
NORTHUMBERLAND Unnamed Wetland

COMPLETE NOTIFICATION:

Replace culvert and extend 10 feet on the outlet end and relocating culvert by 5 feet

2012-01318 NH DEPT OF TRANSPORTATION
JEFFERSON Unnamed Wetland

COMPLETE NOTIFICATION:

Replace and skew 10 feet uphill an existing culvert

2012-01338 NH DRED
LACONIA Unnamed Stream

COMPLETE NOTIFICATION:

Replace headwall, clean outlet end of culvert and reset header

PERMIT BY NOTIFICATION

2012-01155 HENRY, MARYANN
SUNAPEE Lake Sunapee

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

2012-01180 STEVENSON, BAYNE
LYME Clay Brook

Requested Action:

Installation of a seasonal dock.

Conservation Commission/Staff Comments:

Con Com signed PBN form, however application not signed by local Con Com

PBN IS COMPLETE:

Installation of a seasonal dock.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.

2012-01242 MUSKAT 1992 TRUST, IRWIN
GILFORD Lake Winnepesaukee

Requested Action:

Repair 3 existing breakwaters and construct a perched beach, Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN DISQUALIFIED:

Repair 3 existing breakwaters and construct a perched beach, Lake Winnepesaukee, Gilford.

With Findings:

The construction of a perched beach is not a project which qualifies for the PBN process.

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2012-01245 D'ALELIO, ROBERT & SARA
SUNAPEE Lake Sunapee

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

2012-01247 WILLIAMS REVOC TRUST, HADLEY
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2012-01263 LINDENMEYER, PETER
BROOKFIELD Kingwood Lake

Requested Action:

Install a 7 ft x 2 ft concrete anchor pad and a 6 ft x 30 ft seasonal dock on Kingswood Lake, Brookfield.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Install a 7 ft x 2 ft concrete anchor pad and a 6 ft x 30 ft seasonal dock on Kingswood Lake, Brookfield.

**2012-01297 BOSTON YMCA
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form but submitted comments

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2012-01307 FAGAN, DONALD
NEWBURY Lake Sunapee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2012-01322 GLICK, GARY&DIANE
WOLFEBORO Rust Pond**

Requested Action:

Install a 4 ft x 24 ft seasonal dock and a 4 ft x 4 ft anchor pad on Rust Pond, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Install a 4 ft x 24 ft seasonal dock and a 4 ft x 4 ft anchor pad on Rust Pond, Wolfeboro.

With Findings:

Install a 4 ft x 24 ft seasonal dock and a 4 ft x 4 ft anchor pad on Rust Pond, Wolfeboro.

CSPA PERMIT

2011-01094

L LAKEHOUSE LLC

MEREDITH Lake Winnepesaukee

Requested Action:

Owner proposes to reduce dwelling and attached terrace, reconfigure driveway, add detached garage, relocate drainage structures and utility lines, and install a dry hydrant within the boat house.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION:

Impact 147,000 sq ft in order to remove existing dwelling, driveway and portions of retaining wall. Construct a new dwelling with attached terrace construct a detached garage with concrete apron, install dry hydrant within the boathouse, construct paved drives and walks and closed drainage system for storm water management-Per NH-DES AOT File No.

20110328-039: relocate a playhouse.

With Conditions:

1. All work shall be in accordance with revised plans by David M. Dolan Associates, PC dated May 18, 2012 and received by the NH Department of Environmental Services (DES) on May 21, 2012.
2. No more than 15% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 15,300 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-00110

TIBERT, JAMES

ANDOVER Highland Lake

Requested Action:

Expand the footprint of a nonconforming primary structure.

APPROVE PERMIT:

Expand the footprint of a nonconforming primary structure.

With Conditions:

1. All work shall be in accordance with revised plans submitted by James Tibert and received by the Department of Environmental Services ("DES") on May 23, 2012.
2. No more than 9.8% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

2012-00926

BOLSTER, MICHAEL

FREEDOM Lake Ossipee

Requested Action:

Impact 1,776 sq ft in order to replace existing mobile home with a larger mobile home with a 12ft x 24ft deck.

APPROVE PERMIT:

Impact 1,776 sq ft in order to replace existing mobile home with a larger mobile home with a 12ft x 24ft deck.

With Conditions:

1. All work shall be in accordance with plans by Ray Melvin dated January 24, 2012 and received by the NH Department of Environmental Services (DES) on April 16, 2012.
2. No more than 9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,300 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-00966 SANDLER, DAVID/SUZANNE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 3860 sq ft to add subsurface disposal system, water and standby generator to an existing lot, Lake Winnepesaukee.

APPROVE PERMIT:

Impact 3860 sq ft to add subsurface disposal system, water and standby generator to an existing lot, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Dolan Associates dated April 12, 2012 and received by the NH Department of Environmental Services (DES) on April 19, 2012.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 39.61% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 750 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-00990 CONKEY, ALBIN
BRIDGEWATER Pemigewasset River

Requested Action:

Impact 8,899 sq ft in order to construct a 3 bedroom residence, driveway, septic system and well.

APPROVE PERMIT:

Impact 8,899 sq ft in order to construct a 3 bedroom residence, driveway, septic system and well.

With Conditions:

1. All work shall be in accordance with plans by Northern Sun Septic Services dated April 6, 2012 and received by the NH Department of Environmental Services (DES) on April 20, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-01122 PURITY SPRING RESORT
EATON Purity Lake

Requested Action:

Impact 480 sq ft in order to add an addition to the east side of structure.

APPROVE PERMIT:

Impact 480 sq ft in order to add an addition to the east side of structure.

With Conditions:

1. All work shall be in accordance with plans by Chace Architercture dated April 18, 2012 and received by the NH Department of Environmental Services (DES) on May 14, 2012.
2. No more than .04% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 117,875 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-01204 GIFFUNE, MARY
WAKEFIELD Lovell Lake

Requested Action:

Impact 3,110 sq ft in order to to replace failed septic system with a new septic system.

APPROVE PERMIT:

Impact 3,110 sq ft in order to replace failed septic system with a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp. dated March 2012 and received by the NH Department of Environmental Services (DES) on May 11, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,531 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-01219

GOLDEN POND REALTY LLC

WINDHAM Rock Pond

Requested Action:

Impact 2,650 sq ft in order to raze existing home and construct a new dwelling with associated improvements.

APPROVE PERMIT:

Impact 2,650 sq ft in order to raze existing home and construct a new dwelling with associated improvements.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated April 12, 2012 and received by the NH Department of Environmental Services (DES) on May 14, 2012.
2. No more than 30% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 486 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.